

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

| | | |
|-------------------------------------|---|-----------------------|
| Ryan Ray Corman, |) | |
| |) | |
| Petitioner, |) | |
| |) | Case No: 3:12-cv-60 |
| vs. |) | |
| |) | |
| State of North Dakota, ND DOCR, and |) | REPORT AND |
| ND DOCR Probation and Parole, |) | RECOMMENDATION |
| |) | |
| Respondents. |) | |

Petitioner Ryan Ray Corman (“Corman”), an inmate at the James River Correctional Center, submitted for filing on July 23, 2012 a habeas petition under 28 U.S.C. § 2254 and an application for leave to proceed *in forma pauperis*. (Doc. #1, Doc #2). The Certificate of Inmate Account and Assets from the correctional institution shows that as of July 18, 2012, Corman had \$8.29 in his Inmate Account. The average monthly deposits to the Inmate Account for the six months preceding July 18, 2012 was \$107.60. Corman currently receives \$70 per month in allowance or wages from the correctional facility and a \$20.00 per month gift from his mother. It appears Corman has sufficient funds to pay the \$5.00 filing fee for this action. Accordingly, it is **RECOMMENDED** that Corman’s application to proceed *in forma pauperis* (Doc. #1) be **DENIED**. If Corman pays the \$5.00 filing fee, his case will proceed, but if the district judge adopts the recommendation and Corman fails to pay the filing fee, his petition may be dismissed for failure to prosecute.

Dated this 1st day of August, 2012.

/s/ Karen K. Klein
Karen K. Klein
United States Magistrate Judge

NOTICE OF RIGHT TO OBJECT

Pursuant to Local Civil Rule 72.1(D)(3) and Rule 72(b), Corman may file written objections to this Report and Recommendation within fourteen (14) days after being served with a copy of the Report and Recommendation. Failure to file objections may result in the recommended action being taken.